

DELBELLO DONNELLAN WEINGARTEN
WISE & WIEDERKEHR, LLP
Proposed Attorneys for the Debtor
One North Lexington Avenue
White Plains, New York 10601
(914) 681-0200
Jonathan S. Pasternak, Esq.
Julie Cvek Curley, Esq

Presentment Date: April 14, 2015
Presentment Time: 12:00 p.m.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
In re:

97-111 Hale, LLC,

Chapter 11
Case No. 15-22381 (RDD)

Debtor.

-----X
In re:

100-114 Hale, LLC,

Chapter 11
Case No. 15-22382 (RDD)

Debtor.

-----X

**MOTION OF THE DEBTORS PURSUANT TO RULE 1015(b)
OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE
FOR ENTRY OF AN ORDER DIRECTING THE JOINT
ADMINISTRATION OF THE CHAPTER 11 CASES**

97-111 Hale, LLC and 100-114 Hale, LLC, the above captioned debtors and debtors-in-possession (collectively, the “Debtors”), by their proposed attorneys, DelBello, Donnellan, Weingarten, Wise & Wiederkehr, LLP, file this motion (the “Motion”) for an entry of an order directing the joint administration of the Chapter 11 cases, respectfully state and represent as follows:

JURISDICTION

1. This Court has jurisdiction over this Motion under 28 U.S.C. §§ 1334. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2). Venue of these proceedings

and this Motion is proper in this District pursuant to 28 U.S.C. §§1408 and 1409.

2. The statutory bases for the relief requested herein are §§ 105(a) of Title 11 of the United States Code (the “Bankruptcy Code”), and Rule 1015(b) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”).

BACKGROUND

3. On March 25, 2015, 97-111 Hale, LLC and 100-114 Hale, LLC each filed respective voluntary petitions for reorganization pursuant to Chapter 11 of the Bankruptcy Code.

4. The Debtors are each a “single asset real estate” debtor as such term is defined in Section 101(51B) of the Bankruptcy Code. 97-111 Hale, LLC owns the vacant lot located at 97-111 Hale Avenue, White Plains, New York and 100-114 Hale, LLC owns the adjacent vacant lot located at 100-114 Hale Avenue, White Plains, New York.

RELIEF REQUESTED

5. In order to provide for the most efficient administration of the Chapter 11 Cases, as well as to carry out and properly administer the Debtors’ bankruptcy proceedings, by this Motion the Debtors seek entry of an order pursuant to Bankruptcy Rule 1015(b) authorizing the joint administration, for procedural purposes only, under the case number assigned to 97-111 Hale, LLC.

JOINT ADMINISTRATION OF THESE CASES IS WARRANTED

6. Bankruptcy Rule 1015(b) provides, “[i]f... two or more petitions are pending in the same court by or against ...a debtor and an affiliate, the court may order a joint administration of the estates.” See Fed. R. Bankr. P. 1015(b). The Debtors are “affiliates” as that term is defined under section 101(2) of the Bankruptcy Code. Accordingly, this Court is authorized to grant the relief requested herein.

7. Many of the motions, hearings and orders that will arise in the Chapter 11 Cases will jointly affect both Debtors. By jointly administering the Chapter 11 Cases, the Debtors will be able to reduce fees and costs resulting from the administration of these cases and ease the onerous administrative burden of having to file multiple and duplicative documents.

8. The Debtors will continue to operate as separate and distinct legal entities, and propose to continue to maintain their books and records as set forth above, consistent with their prepetition practices.

9. Entry of an order directing the joint administration of the Chapter 11 Cases will avoid duplicative notices, applications, and orders, thereby saving the Debtors considerable time and expense. The rights of the creditors will not be adversely affected as this Motion requests only administrative, and not substantive, consolidation of the Debtors' estates. The rights of all creditors will be enhanced by the reduced costs that will result from the joint administration of the Chapter 11 Cases. The Court also will be relieved of the burden of entering duplicative orders and maintaining duplicative files. Finally, supervision of the administrative aspects of the Chapter 11 Cases by the Office of the United States Trustee for the Southern District of New York will be simplified.

10. Accordingly, the Debtors request that the caption of the Chapter 11 Cases be modified to reflect the joint administration of such cases, as follows:

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

In re:

97-111 Hale, LLC, and
100-114 Hale, LLC,

Debtors.

Chapter 11
Lead Case No. 15-22381 (RDD)

-----X

11. The Debtors also seek the Court's direction that a notation substantially similar to the following notation be entered on the docket of each of the Debtors to reflect the joint administration of these cases:

"An order has been entered in this case directing the procedural consolidation and joint administration of the Chapter 11 cases commenced by 97-111 Hale, LLC and 100-114 Hale, LLC. The docket in Case No. 15-22381 (RDD) should be consulted for all matters affecting the above listed cases."

NOTICE

12. Notice of this Motion has been provided to (i) Office of the United States Trustee; (ii) the Debtors' twenty (20) largest unsecured creditors; (iii) the Debtors' five (5) largest secured creditors; and parties who have filed notices of appearance. The Debtors submit that said notice is adequate and proper.

13. No previous application for the relief herein requested has been made to this or any other Court.

WHEREFORE, the Debtors respectfully requests the Court to enter an order substantially in the form annexed hereto as **Exhibit "A"** directing the joint administration of the Chapter 11 cases under the case number assigned to 97-111 Hale, LLC and such other and further relief as may be just and proper.

Dated: White Plains, New York
March 27, 2015

DELBELLO DONNELLAN WEINGARTEN
WISE & WIEDERKEHR, LLP
Proposed Attorneys for the Debtors
One North Lexington Avenue, 11th Floor
White Plains, New York 10601
(914) 681-0200

By: /s/ Julie Cvek Curley
Julie Cvek Curley